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TECH CENTER 1600/2900

ATTORNEY'S DOCKET NO. E0355/7003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paula M. Vertino  
Serial No: 09/691,763  
Filed: October 18, 2000  
For: TMS1 COMPOSITIONS AND METHODS OF USE  
Examiner: J. Goldberg  
Group No.: 1655

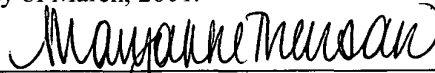
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APR 04 2001

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Box Sequence, the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the 30 day of March, 2001.

  
Maryanne Trevisan

Commissioner for Patents  
Washington, D.C. 20231  
**BOX SEQUENCE**

**TRANSMITTAL**

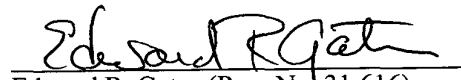
Sir:

Transmitted herewith are the following documents:

- ☒ Copy of Notice to Comply
- ☒ Response to Notice to Comply
- ☒ Copy of Raw Sequence Listing Error Report
- ☒ Paper hard copy form of the corrected "Sequence Listing."
- ☒ Computer readable copy of sequence listing
- ☒ Statement Under 37 C.F.R. §1.821(f)
- ☒ Return Receipt Postcard

No fee is required. If any fee is determined to be due by the Examiner, the Examiner is authorized to charged the appropriate fee to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

  
Edward R. Gates (Reg. No. 31,616)  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210  
Tel.: 617-720-3500

Attorney's Docket No.: E0355/7003  
Date: 3/30/01  
X04/21/01



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10/C  
B. Webb  
4/19/01

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Maryanne Trevisan

**BOX SEQUENCE**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO COMPLY**

This is in response to the Notice to Comply (copy enclosed) issued in the above-identified application.

Applicants have made the appropriate corrections to the Sequence Listing.

Attached is a copy of the corrected "Sequence Listing" in computer readable form.

Attached is a paper hard copy form of the corrected "Sequence Listing."

Attached is a Statement Pursuant to 37 CFR 1.821(f).

Accordingly, Applicant believes that this document is responsive to the Notice to Comply.

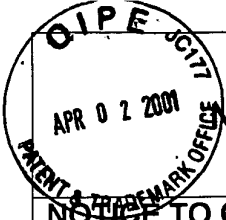
If any other information is needed, please contact the undersigned attorney by phone (617-720-3500, Ext. 232) to expedite the further prosecution of this patent application.

Respectfully submitted,

WOLF, GREENFIELD & SACKS, P.C.

By   
Edward R. Gates (Reg. No. 31,616)  
WOLF, GREENFIELD & SACKS, P.C.  
600 Atlantic Avenue  
Boston, MA 02210-2211  
Attorneys for Applicant(s)  
Tel. no. (617) 720-3500

Attorney's Docket No.: E0355/7003  
Date: 3/30/01  
X04/21/01



## Notice to Comply

Application No.	Applicant(s)	
09/691,763	VERTINO, PAULA M.	
Examiner	Art Unit	
Jeanine Enewold Goldberg	1655	

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

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#### Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

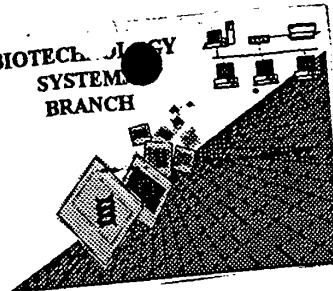
To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



## **RAW SEQUENCE LISTING ERROR REPORT**

BIOTECHNOLOGY  
SYSTEMS  
BRANCH



TECH CENTER 1600/2800

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The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/691,763

Source: OIPE

Date Processed by STIC: 10/29/2000

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.  
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT TO THE APPLICANT BY EITHER:  
APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A  
NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin30help@uspto.gov](mailto:patin30help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER  
VERSION 3.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND  
TRADEMARK OFFICE WEBSITE. SEE BELOW:

### **Checker Version 3.0**

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25. Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address:  
<http://www.uspto.gov/web/offices/pac/checker>

RAW SEQUENCE LISTING  
PATENT APPLICATION: US/09/691,763

DATE: 10/27/2000  
TIME: 10:01:33

```
Input Set: A:\E03557003.txt
Output Set: N:\CRF3\10272000\I691763.raw
```

Does Not Comply  
Corrected Diskette Needed.

4 <110> APPLICATION: Written: Pats. M.  
5 <120> TITLE OF INVENTION: TMSI Compositions and Methods of Use  
6 <130> FILE REFERENCE: 63577063/EPG/MAT  
7  
8  
9  
10  
11 <140> CURRENT APPLICATION NUMBER: US/09/691,763  
12  
13 <141> CURRENT FILING DATE: 2000-10-18  
14  
15 <150> PRIOR APPLICATION NUMBER: US 09/156,975  
16  
17 <151> PRIOR FILING DATE: 1998-10-18  
18  
19 <160> NUMBER OF SE. IN SEQ. 27  
20  
21 <170> SOFTWARE: FIRSTL for Windows Version 3.0

### ERRORED SEQUENCES

[illegible]

Input Set: A:\E03557003.txt  
 Output Set: N:\CRF3\10272000\I691763.raw

```

254 <400> SEQUENCE:
255 gc tct gga gcc gga gca gct gag atc caa gcc cct cct caa tca gca 47
256 Ser Gly Ala Ala Pro Ala Gly Ile Gly Ala Pro Pro Gln Ser Ala
257 1 5 10 15
259 gcc aag cca g
E--> 260 Ala Lys Pro
685 <210> SEQ ID NO: 20
686 <211> LENGTH: 411
687 <212> TYPE: CDS
688 <213> ORGANISM: Homo Sapiens
689 <220> FEATURES:
691 <221> NAME/FEATURE: CDS
692 <222> LOCATION: (75) ..(464)
693 <400> SEQUENCE:
695 ccacgggtctc tcttctctc tggctcggag ctgcacggga atgagcgagg gcaagcgccg 47
696 ggaatcctga acc tta gaa caa gaa cgc gcc acc atc cta gat acc cta 110
697 Met Gly Arg Ala Arg Asp Ala Ile Leu Asp Ala Leu
698 1 5 10
700 gag aac cta gaa gcc aag aag ttc aag aag ttc aag cta aag cta cta 158
701 Gln Asn Leu Thr Ala Gly Gln Leu Lys Lys Phe Lys Leu Lys Leu Leu
702 15 20 25
704 tct gta cca cta caa aag aag taa gga cgc atc ccg cgg ggc ggc cta 206
705 Ser Val Pro Leu Arg Ile Gly Thr Gly Arg Ile Pro Arg Gln Ala Leu
706 30 35 40
708 cta ttc ata aag aa tta gac cta acc aac aag cta atc agc ttc taa 264
709 Leu Ser Met Asp Ala Leu Asp Leu Thr Asp Lys Leu Val Ser Phe Tyr
710 45 50 55 60
712 cta gag acc tta tta tta gaa cta acc gct aac atg cta cgc gac atg 302
713 Leu Glu Thr Thr Gln Ala Gln Leu Thr Ala Asn Val Leu Arg Asp Met
714 65 70 75
716 ggc cta cca aag aag aag aag aag cta cca aag acc aca cag cag gac 350
717 Gly Leu Gln Gln Met Ala Ile Ile Leu Gln Ala Ala Thr His Gln Gly
718 80 85 90
720 tct gga gcc aag aag aag ttc gaa gcc cct cct caa tca aca gac 398
721 Ser Gly Ala Ala Pro Ala Gly Ile Gln Ala Pro Pro Gln Ser Ala Ala
722 95 100 105
724 aag cca g
725 Lys Pro
E--> 726 110

```

*See next page for more errors*

09/69/763

<210> 23  
 <211> 171  
 <212> PRT  
 <213> Rattus Norvegicus

<400> 23  
 Phe Lys Ile Lys Leu Leu Thr Ala Pro Val Arg Glu Gly Tyr Gly Arg  
 1 5 10 15  
 Ile Pro Arg Gly Ala Leu Leu Gln Met Asp Pro Ile Asp Leu Thr Asp  
 20 25 30  
 Lys Leu Val Xaa Tyr Tyr Leu Glu Gly Tyr Gly Leu Glu Leu Thr Met  
 35 40 45  
 Thr Val Leu Arg Asp Met Gly Ile Gln Glu Leu Ala Glu Gln Leu Gln  
 50 55 60  
 Lys Ile Met Glu Glu Ser Gly Ala Val Ala Thr Ala Thr Ser Val Pro  
 65 70 75 80  
 Ala Gln Gly Thr Ala Arg Thr Glu His Phe Val Asp Gln His Arg Gln  
 85 90 95  
 Ala Leu Ile Ala Arg Val Thr Glu Val Asp Gly Leu Leu Asp Ala Leu  
 100 105 110  
 Tyr Gly Asn Val Leu Thr Glu Gly Gln Tyr Gln Ala Val Arg Ala Glu  
 115 120 125  
 Thr Thr Asn Gln Asn Lys Met Arg Lys Leu Phe Ser Phe Ala Pro Ala  
 130 135 140  
 Trp Asn Leu Thr Cys Lys Asn Leu Phe Leu Glu Ala Leu Arg Gln Thr  
 145 150 155 160  
 Gln Pro Tyr Leu Val Thr Asp Leu Glu Gln Ser  
 165 170

see  
 item 10  
 on Enov  
 summary  
 sheet

FYI

**Please Note:**  
 Use of n and/or Xaa have been detected in the Sequence Listing. Please review the  
 Sequence Listing to ensure that a corresponding explanation is presented in the <220> to  
 <223> fields of each sequence which presents at least one n or Xaa.

## VERIFICATION SUMMARY

DATE: 10/27/2000

PATENT APPLICATION: US/09/691,763

TIME: 10:01:35

Input Set : A:\E03557003.txt

Output Set: N:\CRF3\10272000\I691763.raw

L:11 M:270 C: Current Application Number differs. Replaced Current Application No  
L:11 M:271 C: Current Filing Date differs. Replaced Current Filing Date  
L:223 M:252 E: No. of Seq. differs. <211>LENGTH:Input:339 Found:340 SEQ:5  
L:260 M:361 W: Invalid Split Codon. Sequence data for SEQ ID#: 7  
L:260 M:252 E: No. of Seq. differs. <211>LENGTH:Input:58 Found:57 SEQ:7  
L:306 M:361 W: Invalid Split Codon. Sequence data for SEQ ID#: 9  
L:527 M:258 W: Mandatory Feature missing. <223> not found for SEQ ID#:22  
L:527 M:340 W: (46) "n" or "Xaa" used: Feature required. for SEQ ID#:22  
L:559 M:361 W: Invalid Split Codon. Sequence data for SEQ ID#: 22  
L:575 M:258 W: Mandatory Feature missing. <220> not found for SEQ ID#:23  
L:575 M:258 W: Mandatory Feature missing. <221> not found for SEQ ID#:23  
L:575 M:258 W: Mandatory Feature missing. <222> not found for SEQ ID#:23  
L:575 M:258 W: Mandatory Feature missing. <223> not found for SEQ ID#:23  
L:575 M:340 W: (46) "n" or "Xaa" used: Feature required. for SEQ ID#:23  
L:726 M:252 E: No. of Seq. differs. <211>LENGTH:Input:414 Found:405 SEQ:26